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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,099	07/16/2001	Kenji Kawazoe	1272.C0468	3548

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EXAMINER

TRAN, LY T

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 07/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/905,099

Applicant(s)

KAWAZOE ET AL.

Examiner

Ly T TRAN

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE filed 5/5/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/5/03 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 8, 12-15, 19, 20, 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyogoku et al. (JP 326531) in view of Suematsu et al (JP 362088736).

Kyogoku et al. discloses in combination, a printing apparatus and a print medium and a method of manufacturing a print medium to be supplied to a printing apparatus wherein the printing apparatus (Abstract) comprising a feeding means (Fig.2: element 3) for feeding the print medium accommodated in an accommodating portion (element 2) to a transporting passage facing the printing means (element 6b), the printing apparatus

transporting the print fed by the feeding means along the transporting passage so that the printing means can print on the print medium (Fig.2), the print medium comprising:

- A print area on which to print a desired image (Fig.1: element 9)
- A separate discard area provided in at least a front end portion of the print medium (Fig.1: element 11)
- The printing means forms an image which continues from the print area to a portion of the separable discard area (Abstract)
- A line of perforation is formed at a boundary between the print area and the separable discard area of the print medium (Fig.3: element 11)
- The printing means forms an image which continues from the print area to a portion of the separable discard are, going beyond the line of the perforation (Abstract)

However, Kyogoku fails to teach a separation means disposed at a downstream side of the feeding means, for separating a print medium fed by the feeding stack of print media accommodated in the accommodating portion.

Suematsu et al. teaches a separation means disposed at a downstream side of the feeding means, for separating a print medium fed by the feeding stack of print media accommodated in the accommodating portion (Fig.1: element 28, Abstract).

So by having a separation means (28) at a downstream side of the feeding means as taught by Suamatsu into the invention of Kyogoku, obviously the width of the discard area provided in at the front end portion is greater than the predetermined

distance from the separating means to a contact portion of the print medium on which the feeding means contacts the print medium.

3. Claims 2-4, 9-11, 16-18, 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyogoku et al. (JP 326531) in view of Ikeda et al. (USPN 6,135,591).

Kyogoku et al. discloses in combination, a printing apparatus and a print medium and a method of manufacturing a print medium to be supplied to a printing apparatus wherein the printing apparatus (Abstract) comprising a feeding means (Fig.2: element 3) for feeding the print medium accommodated in an accommodating portion (element 2) to a transporting passage facing the printing means (element 6b), the printing apparatus transporting the print fed by the feeding means along the transporting passage so that the printing means can print on the print medium (Fig.2), the print medium comprising:

- A print area on which to print a desired image (Fig.1: element 9)
- A separate discard area provided in at least a front end portion of the print medium (Fig.1: element 11)
- The printing means forms an image which continues from the print area to a portion of the separable discard area (Abstract)
- A line of perforation is formed at a boundary between the print area and the separable discard area of the print medium (Fig.3: element 11)
- The printing means forms an image which continues from the print area to a portion of the separable discard are, going beyond the line of the perforation (Abstract)

However, Kyogoku et al. fails to teach the discharge means.

Ikeda et al. teaches a discharge means (Fig.1: element 10).

Applicant is reciting dimensions of a printer relative to a print medium. While the combination does not teach the exact dimensions as recited in the claims, these dimensions or any dimensions of the print areas and discard area would have been obvious to one of ordinary skill in the art based on whatever final printed product is desired. Goishi and Onishi teach that it is known to use print medium sheets with print areas and discard area with various dimensions.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teaching of Kyogoku et al to have a discharge means as taught by Ikeda et al. The motivation of doing so is to discharge the paper to the discharge tray.

4. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyogoku et al. (JP 326531) in view of Suematsu et al (JP 362088736). As applied to claim 1 above, further in view of Yamaoka (JP 11-277879)

The combination of Kyogoku et al and Suematsu teaches a discard area in a front end portion of the print medium and a discard area in a rear end portion of print medium are set equal in width.

However, the combination of Kyogoku et al and Suematsu fails to teach plurality of print areas and separably discard areas before and after each print area and a discard area in a left end portion of the print medium and a discard area in a right end

Art Unit: 2853

portion of the print medium are set equal in width, widths of the discard areas in left and right end portions of the print medium are greater than a length in the transport direction of the discard are between the print areas.

Yamaoka teaches plurality of print areas and separably discard areas before and after each print area and a discard area in a left end portion of the print medium and a discard area in a right end portion of the print medium are set equal in width. (Fig.9). Also, in figure 9, Yamaoka teaches that the widths of the discard areas in left and right end portions of the print medium are greater than a length in the transport direction of the discard are between the print areas.

It would have been obvious to one having ordinary skill in the art at the time the invention was made as modify to have a plurality of print areas and separable discard areas before and after each print area and a discard area in a left end portion of the print medium and a discard area in a right end portion of the print medium are set equal in width as taught by Tamaoka. The motivation of doing so is in order save more area for printing.

Response to Arguments

5. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2853

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly T TRAN whose telephone number is 703-308-0752. The examiner can normally be reached on M-F (7:30am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 703-308-4896. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0967.



July 9, 2003



Stephen D. Meier
Primary Examiner